

**Minutes of the Grinnell City Council Meeting  
Monday, April 17, 2006**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4<sup>th</sup> Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, April 17, 2006. Mayor Canfield presided.

Roll Call:               PRESENT:   McNaul, Wright, Worley, Witt, Wilson, White.  
                              ABSENT:     None.

**PERFECTING AND APPROVAL OF AGENDA:**

Moved by WHITE, second by WORLEY, to approve the Agenda and the Consent Agenda as presented. Roll Call Vote: Ayes: White, Worley, Witt, McNaul, Wright, Wilson. Motion carried.

**CONSENT AGENDA:**

- A.     Previous minutes as drafted from the Monday, April 3, 2006 Regular Session.
- B.     Approval of the On-Premise Application for Liquor, Wine or Beer for West Side Family Dining, Inc., 229 6<sup>th</sup> Avenue West.
- C.     Approval of the request submitted by Mr. Richard Berman for use of Lion's Park during the bicycle ride scheduled for June 9 – 11, 2006. The request also included use of a small dumpster.
- D.     Approval of the request submitted by the Grinnell Area Chamber of Commerce for continued support of the Farmer's Market through the use of services provided by the Public Service Department.

**PUBLIC HEARING:**

Mayor Canfield opened the public hearing in regard to the proposed petitions for voluntary annexation at 7:05 pm. Hage noted no comments or objections had been received prior to the meeting. Canfield requested comments and objections from the citizens present. There were none.

Moved by MCNAUL, second by WORLEY, to close the public hearing at 7:06 pm. Roll Call Vote: Ayes: McNaul, Worley, Wilson, Witt, Wright, White. Motion carried.

Moved by WORLEY, second by MCNAUL, to approve and adopt Resolution No. 2948: "A RESOLUTION ASSENTING TO THE ANNEXATION OF CERTAIN REAL ESTATE TO THE CITY OF GRINNELL, IOWA." Roll Call Vote: Ayes: Worley, McNaul, Witt, Wright, Wilson, White. Motion carried.

**COMMUNICATIONS/COMMITTEE MINUTES:**

- A.     Finance Committee: April 3, 2006
- B.     Planning Committee: April 3, 2006
- C.     Public Works and Grounds Committee: April 3 and 6, 2006
- D.     Public Safety Committee: April 4, 2006
- E.     Thank You: Beth Tindle, Chris Jedlicka
- F.     Communications: State of Iowa – 2006 Community Improvement Through Healthy Trees Grant Program.

## COMMITTEE BUSINESS:

- A. Report from the Finance Committee.
  - o Review of the FY 05-06 liability policy premium.

Moved by WHITE, second by WITT to authorize payment of the FY 05-06 liability policy premium. Roll Call Vote: Ayes: White, Witt, Wilson, McNaul, Wright, Worley. Motion carried.

- o Update in regard to the Local Option Sales Tax issue.

This item remains under discussion with Poweshiek County and other entities within the county. The primary item being reviewed is the proposed sunset. Options exist of ten years, twenty years or no sunset. Once this item is resolved, the city can proceed with establishing ballot language.

- o Update in regard to the development of an Ethanol Plant.

White commented the proposed development of an Ethanol Plant continues to be reviewed. A location has been suggested south of Grinnell Reinsurance. Issues remain to be resolved include: water service, highway and traffic, and public safety. The developer would like to commence construction prior to the end of this calendar year. The city continues to review incentive packages and potential funding from the Iowa Department of Economic Development.

Worley reviewed the discussion held during the Planning Committee session. He clarified the land proposed for the development is not within city limits. Therefore, even if the city does not annex the land, the project could proceed under the county zoning regulations. He encouraged the adjacent landowners to support annexation of the land into city limits to ensure stricter guidelines for construction and development. He reiterated this development is still being reviewed and that no formal agreements have been entered into.

Marcy Van Wyk Moore - 4216 Highway 146 - noted the proposed development will be adjacent to their property. They do not oppose the development; they just do not support the location. They do not feel the location is logical based on the fact that so many services will have to be extended from the city. They are concerned about the light, traffic and the noise. She realizes the project has not reached the council for decision yet, however they hope that at the time it does, the council gives due consideration to their concerns.

Loretta Van Wyk – 4240 Highway 146 – echoed the concerns expressed by Van Wyke – Moore. She is concerned about the environmental impact this operation will have on the area. Further, the operation will cause a constant hum and disrupt the quiet of the country. The amount of light emitted by the plant is also of great concern. She does not think people realize how many citizens actually live in the area due to recent residential development. She reiterated they oppose the location of the development.

Wilson commented the city did not propose the location. The developer worked with an outside party to review available sites within Poweshiek County. Important features of the site under consideration include: the mile of available railroad spur with no

crossings and flat topography, the transfer station allowing two feeds of power into the plant and the accessibility of the highway and interstate. Behrens commented the developer has completed their own site selection.

Vernon Van Wyk – 4240 Highway 146 – pointed out the property referred to as the Spooner property also offers the availability of one mile of railroad without crossings. White agreed, however the site would require a great amount of preparation to accommodate the development. Van Wyke felt locating the development near the Industrial Park is more reasonable and compatible.

Danny Rook - 4276 40<sup>th</sup> Street – stated the main reason he was present was to voice concerns in regard to the wildlife that will be affected.

Dave Latcham – 4206 Porter Addition - questioned if any of the developers would be willing to be present at a public meeting for an open discussion about the project. He would like to see the master plan to alleviate the speculation.

White stated again that until the purchase of the property proceeds, it is difficult for the city to take any action. Behrens feels the developer will be available to address the concerned property owners.

Van Wyk – Moore does not feel the plant will be able to change their production processes enough to accommodate their requests.

- Review of the requests for assistance from the Campbell Fund.

The requests were approved as presented.

B. Report from the Planning Committee.

- Schedule the public hearing on the proposal to rezone property in the city of Grinnell, Iowa commonly referred to as 606 Marvin Avenue for Monday, May 1, 2006 at 7:00 p.m.

Moved by WORLEY, second by MCNAUL, to schedule the public hearing on the proposal to rezone property in the city of Grinnell, Iowa commonly referred to as 606 Marvin Avenue for Monday, May 1, 2006 at 7:00 p.m. Roll Call Vote: Ayes: Worley, McNaul, White, Wilson, Wright, Witt. Motion carried.

- Discussion in regard to zoning protection for the waste water treatment plant/compost site and airport.

Behrens has submitted an agreement to the county for their review. The city awaits their response.

- Update in regard to the Local Option Sales Tax issue.

Worley commented in the event the sunset selected by the municipality was longer than necessary, the city would have the right to petition and vote to discontinue the tax prior to the original sunset. Just because the ballot may vote for twenty years, does not mean the dates cannot be reviewed.

- Update in regard to the development of an Ethanol Plant.

This item was discussed during the Finance Committee Report.

- Update in regard to the Parkland Conversion at Arbor Lake.

Lowry has agreed to trade a portion of the residential building lots he owns for a portion of city owned land in order to preserve Arbor Lake. Behrens will be working with Lowry and the surveyors to complete the process.

- C. Report from the Public Works and Grounds Committee.
  - Approval of the Application to Perform Work Within State Highway Right-of-Way submitted by 6 West LLC. to remove two existing driveways and construct a new entrance at the property located at the intersection of Highway 146 and Highway 6.

Moved by WITT, second by MCNAUL, to approve of the Application to Perform Work Within State Highway Right-of-Way submitted by 6 West LLC. to remove two existing driveways and construct a new entrance at the property located at the intersection of Highway 146 and Highway 6. Roll Call Vote: Ayes: Witt, McNaul, Wright, Worley, Wilson, White. Motion carried.

- Approval of the Entrance Permit submitted by 6 West LLC. for the construction of the new entrance at the property located at the intersection of Highway 146 and Highway 6.

Moved by WITT, second by MCNAUL, to approve an Entrance Permit submitted by 6 West LLC. for the construction of the new entrance at the property located at the intersection of Highway 146 and Highway 6. Roll Call Vote: Ayes: Witt, McNaul, White, Wilson, Wright, Worley. Motion carried.

- Discussion in regard to the Park Plan.

Witt commented the next meeting of the Task Force will be Monday, April 24, 2006 at 6:00 pm in Council Chambers.

- Review of the rental equipment policy.

Anderson is working to complete the update. More information will be presented to the council at the next regular meeting.

- Update from Jeff Sears in regard to the swimming pool evaluation.

Preparation is underway for the 2006 pool season. The next meeting for the Pool Committee is Wednesday, May 10, 2006 at 6:30 pm in Council Chambers.

- Update in regard to Windsor Manor soil erosion.

Behrens reviewed the progress of mediating the water run off problems caused by the Windsor Manor development. Erosion control measures will be taken including cleaning of the lake. All expense incurred to correct the problems will be paid by the developer.

- Update in regard to the fire hydrant flushing work and fire flow testing.

Testing will begin May 8, 2006 and will last approximately four days. Recent improvement to the system will also be tested to verify the increase in flow and capacity.

- Review of the request by St. Paul's Episcopal Church in regard to accessibility improvements.

Moved by WITT, second by MCNAUL, to approve the request as presented. Roll Call Vote: Ayes: Witt, McNaul, White, Worley, Wilson, Wright. Motion carried.

- Discussion in regard to setting the spring amnesty period for the compost/brush site.

Moved by WITT, second by MCNAUL, to approve and adopt Resolution No. 2949: "A RESOLUTION ESTABLISHING A TEMPORARY AMNESTY PERIOD FOR USE OF THE COMPOST/BRUSH SITE LOCATED IN GRINNELL, IOWA." Roll Call Vote: Ayes: Witt, McNaul, Wright, Worley, Wilson, White. Motion carried.

In the event rain effects the amnesty week the council will reconsider the proposed dates. Further, all fees will be waived for both commercial and residential properties.

- Discussion in regard to the storm water utility.

Staff continues to work on this item. More information will be provided at the next regular meeting.

D. Report from the Public Safety Committee

*(Please Note: This meeting was held on Tuesday, April 4, 2006.)*

- Review of the lease agreement between the city of Grinnell and Cingular Wireless.

Cingular is reviewing the proposed lease agreement. Currently, they do not agree with the proposed cost. Their development will require the location of another building on the Public Safety property and the placement of equipment on the tower. For placement of these items they are required to remit rent to the city.

- Review of the fire service agreement and set the date for the next meeting with the Rural Fire Association.

The committee will be meeting with the association again in the near future. This item is nearing completion and an agreement should be in place prior to the commencement of the new fiscal year.

- Receive information in regard to the Central Business Parking Study.

The committee has determined adequate numbers of handicap parking spaces are included in the Central Business District parking plan. Citizens must recognize the location of certain spaces will be in alternate locations due to the change in the traffic pattern from one way to two way. The striping of the spaces should be completed soon.

Wilson concluded by informing the council the committee continues to review the length of time parking will be allowed in the Central Business District.

E. Mayor's Committee Appointment Recommendations:

There were no appointments made at this time.

NEW BUSINESS: None.

SECOND READING OF THE ORDINANCE:

Moved by WORLEY, second by WITT, to conduct the second reading of Ordinance No. 1267: "AN ORDINANCE AMENDING ORDINANCE NO. 774 BY CHANGING CERTAIN DISTRICTS SHOWN ON THE OFFICIAL ZONING MAP." (The ordinance refers to the east 300 feet of property owned by R&B Rental, LLC.) Roll Call Vote: Ayes: Worley, Witt, White, Wright, McNaul, Wilson. Motion carried.

FIRST READING OF THE ORDINANCES:

Moved by WHITE, second by MCNAUL, to introduce and read Ordinance No. 1268: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 22, ARTICLE II, DIVISION 2 (RATES AND CHARGES.)" Roll Call Vote: Ayes: White, McNaul, Wilson, Wright, Worley, Witt. Motion carried.

Moved by WITT, second by WORLEY, to introduce and read Ordinance No. 1269: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 22, ARTICLE III, DIVISION 2 (RATES AND CHARGES.)" Roll Call Vote: Ayes: Witt, Worley, Wright, McNaul, Wilson, White. Motion carried.

No action was taken on the following two proposed ordinances:

Ordinance No. 1270: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-68.1 (HANDICAP PARKING SPACES.)"

Ordinance No. 1271: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY ADDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-508 (PARKING RESTRICTIONS.)"

APPROVAL OF THE RESOLUTIONS:

Moved by WHITE, second by WORLEY, to approve and adopt Resolution No. 2950: "A RESOLUTION ESTABLISHING BUILDING, ELECTRICAL AND PLUMBING PERMIT FEES FOR THE CITY OF GRINNELL, IOWA." Roll Call Vote: Ayes: White, Worley, Wilson, Witt, Wright, McNaul. Motion carried.

INQUIRIES: None.

REPORT FROM THE CITY MANAGER: None.

ADJOURN:

Moved by WHITE, second by MCNAUL, to adjourn this regular session of the Grinnell City Council at 7:55 pm. Vote: (6) ayes, motion carried.

ATTEST:

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Gordon Canfield, Mayor

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Cassandra R. Hage, City Clerk